

PRINCE GEORGE'S COUNTY COUNCIL

COMMITTEE REPORT

2022 Legislative Session

Reference No.: CB-011-2022

Draft No.: 2

Committee: Committee of the Whole

Date: 9/06/2022

Action: FAV

REPORT:

Committee Vote: Favorable as Amended, 10-0 (In Favor: Council Members Hawkins, Harrison, Burroughs, Dernoga, Franklin, Glaros, Ivey, Medlock, Taveras and Turner).

The Committee convened on March 17, 2022, and again on September 6, 2022, to discuss this legislation which increases civil penalties for violations associated with the operation of off-road vehicles. CB-11-2022 also authorizes the impoundment of vehicles associated with violations after the third offense. Further, it authorizes impoundment of off-road vehicles for specific actions; namely, impoundment for abandoned off-road vehicles, unregistered off-road vehicles, off-road vehicles involved in criminal activity and if ordered by a court, as part of a sentence, for a criminal conviction. As proposed, the penalty for an initial offense would go from two hundred fifty dollars (\$250.00) to five hundred dollars (\$500.00), from five hundred dollars (\$500.00) to one thousand dollars (\$1,000) for the second violation and would remain at one thousand dollars (\$1,000) but would require impoundment of the off-road vehicle for subsequent violations.

Division 19 §§26-172 through 175 of the County Code set forth the law on all off-road vehicles including all-terrain vehicles, scooters, miniature motorcycles, and off-the-road motorcycles. "Off-Road Vehicles" which are the subject of the Division's provisions, are defined as "vehicle[s] that [have] been manufactured for off-road use and not subject to registration under the Maryland Vehicle Law, including off-the-road motorcycles, miniature motorcycles, miniature scooters and all-terrain vehicles." Basic requirements for operation include registration through the Department of Permitting, Inspections and Enforcement. Currently the cost for registration is Thirty Dollars (\$30.00) which is valid for two (2) years. Stipulations include safety requirements such as: helmets must be worn by all riders and, drivers under the age of 16 must be supervised by a parent or guardian while operating an off-road vehicle. Off-road vehicles may only be operated on private property between the hours of 7 A.M. and 8 P.M. Under Division 18, the Police Department has the right to impound any vehicle for eight different offenses. These stipulations are comparable in neighboring jurisdictions, including Montgomery County and Baltimore City.

Staff discussed a technical amendment to delete language on page 2, line 13 referring to the impoundment of “unlicensed drivers of off-road vehicles.” The Committee accepted this amendment. The Committee requested the County Police Department to provide data on the number of impounded off-road vehicles in recent years.

After discussion, the Committee of the Whole voted favorably on CB-11-2022 as amended by a vote of 10-0.